

State of Hawaii  
Department of Labor and Industrial Relations  
Workforce Development Division  
Employment and Training Fund Program

## **Request for Proposals**

### **RFP No. DLIR/WDD 2009-03 Solicitation for Green Projects**

July 1, 2009

Note: If this RFP was downloaded from the State Procurement Office RFP Website each applicant must provide contact information to the RFP contact person for this RFP to be notified of any changes. For your convenience, you may download the [RFP Interest form](#), complete and e-mail or mail to the RFP contact person. The State shall not be responsible for any missing addenda, attachments or other information regarding the RFP if a proposal is submitted from an incomplete RFP.

July 1, 2009

## **REQUEST FOR PROPOSALS**

### **Training Services for the Employment and Training Fund Program RFP No. DLIR/WDD 2009-03**

The purpose of the Employment and Training Fund (ETF) Program is to assist employers and workers through innovative programs to include, but not limited to, business-specific training, upgrade training, new occupational skills, management skills, and support services to improve the long-term employability of Hawaii's people. The Department of Labor and Industrial Relations (DLIR), Workforce Development Division (WDD), is requesting proposals under ETF's macro grant program from qualified applicants to fund a limited number of innovative training projects that promote an environmentally sustainable workforce in Hawaii.

Employer groups or non-profit organizations (ie. private sector business consortia or industry groups/associations) in partnership with training providers and/or governmental agencies may apply. The contract term will be for a maximum period of 12 months; which is subject to a no-cost extension upon mutual consent of the contracting organization and the DLIR, WDD. Up to three (3) grants, not to exceed \$100,000 per grant, will be awarded under this request for proposals (RFP) in any of the following categories: renewable energy, energy efficiency/conservation, and waste reduction/ elimination. In the event that additional funds become available, additional grants may be awarded based on funding availability.

All proposals submitted shall consist of one (1) original and 3 copies and shall be mailed, postmarked by the United States Postal Service, on or before August 3, 2009 and shall be received no later than 7 days from the submittal deadline. Hand-delivered proposals shall be received no later than 4:30 p.m. Hawaii Standard Time (HST) on August 3, 2009, at the drop-off sites designated on the Proposal Mail-in and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Proposals postmarked or hand-delivered after the submittal deadline shall be considered late and rejected. Dated USPS shipping labels are not considered postmarks. Proposals transmitted by FAX, electronically mailed, or submitted on diskettes will NOT be accepted. **There are no exceptions to this requirement.**

An RFP Orientation will be conducted at the Department of Labor and Industrial Relations, Keelikolani Building on Wednesday, July 8, 2009, from 10:00 a.m. to 12:00 p.m. at 830 Punchbowl Street, Room 313, Honolulu, Hawaii.

Submission of written questions must be received by facsimile or e-mail by no later than 4:30 p.m., HST, on July 15, 2009. All written questions will receive a written response from ETF on or about July 23, 2009.

ETF is administered under Chapter 383-128, Hawaii Revised Statutes, and Chapter 12-6, Hawaii Administrative Rules. This procurement is exempt from Chapter 103F, however, this notice is placed on this site to assure wide dissemination. Any inquiries regarding this RFP should be directed to the RFP contact person, Ms. Tricia Malloy at the Department of Labor and Industrial Relations, Workforce Development Division, 830 Punchbowl Street, Room 329, Honolulu, HI 96813, telephone: (808) 586-8818, fax: (808) 586-8822, e-mail: [tmalloy@dlir.state.hi.us](mailto:tmalloy@dlir.state.hi.us).

## PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

<b>NUMBER OF COPIES TO BE SUBMITTED: Original + 3 Copies</b>
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ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN August 3, 2009 **and received by the state purchasing agency no later than 7 days from the submittal deadline.**

### All Mail-ins

Department of Labor and Industrial Relations  
Workforce Development Division  
Employment and Training Fund Program  
830 Punchbowl Street, Room 329  
Honolulu, Hawaii 96813

### DLIR/WDD/ETF RFP COORDINATOR

Ms. Tricia Malloy  
Phone: (808) 586-8818  
Fax: (808) 586-8822  
E-mail: [tmalloy@dlir.state.hi.us](mailto:tmalloy@dlir.state.hi.us)

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITES UNTIL **4:30 P.M., Hawaii Standard Time (HST) on August 3, 2009.** Deliveries by private mail services such as FEDEX shall be considered hand deliveries. Hand deliveries shall not be accepted if received after 4:30 p.m. on August 3, 2009.

### Drop-off Sites

Workforce Development Division  
Honolulu Office  
830 Punchbowl Street, Room 112  
Honolulu, Hawaii 96813

Workforce Development Division  
Hawaii Branch Office  
1990 Kinoole Street, Room 102  
Hilo, Hawaii 96720

Workforce Development Division  
Kona Office at Kaiwi Square  
74-5565 Luhia Street  
Building C, Bay 4  
Kailua-Kona, Hawaii 96740

Workforce Development Division  
Kauai Branch Office  
3100 Kuhio Hwy. Suite C-9  
Lihue, Hawaii 96766

Workforce Development Division  
WDD Maui Branch Office  
2064 Wells St., Suite 108  
Wailuku, Hawaii 96793

Workforce Development Division  
WDD Kaunakakai Office  
55 Makaena Place, Room 4  
Kaunakakai, Hawaii 96748

# RFP Table of Contents

## Section 1 Administrative Overview

I.	Procurement Timetable.....	1-1
II.	Website Reference .....	1-2
III.	Authority .....	1-2
IV.	RFP Organization .....	1-3
V.	Contracting Office .....	1-3
VI.	Orientation .....	1-3
VII.	Submission of Questions.....	1-4
VIII.	Submission of Proposals .....	1-4
IX.	Discussions with Applicants .....	1-7
X.	Opening of Proposals.....	1-7
XI.	Additional Materials and Documentation.....	1-7
XII.	RFP Amendments.....	1-7
XIII.	Final Revised Proposals .....	1-8
XIV.	Cancellation of Request for Proposals.....	1-8
XV.	Costs for Proposal Preparation .....	1-8
XVI.	Provider Participation in Planning.....	1-8
XVII.	Rejection of Proposals .....	1-8
XVIII.	Notice of Award .....	1-9
XIX.	Protests.....	1-9
XX.	Availability of Funds .....	1-9
XXI.	General and Special Conditions of the Contract .....	1-10
XXII.	Cost Principles.....	1-10

## Section 2 - Service Specifications

I.	Introduction	
A.	Overview, Purpose or Need.....	2-1
B.	Planning activities conducted in preparation for this RFP .....	2-2
C.	Description of the Goals of the Service .....	2-2
D.	Description of the Target Population to be Served.....	2-2
E.	Geographic Coverage of Service .....	2-3
F.	Eligibility Requirements.....	2-3
G.	Probable Funding Amounts, Source, and Period of Availability .....	2-3
II.	General Requirements.....	2-3
A.	Qualifying Standards.....	2-3
B.	Preliminary Requirements to be met before executing a state contract .....	2-4
C.	Secondary Purchaser Participation .....	2-5
D.	Multiple or Alternate Proposals .....	2-6
E.	Single or Multiple Contracts to be Awarded .....	2-6
F.	Single or Multi-Term Contracts to be Awarded .....	2-6
G.	RFP Contact Person .....	2-7

III.	Scope of Work.....	2-7
A.	Service Activities .....	2-7
B.	Management Requirements .....	2-10
C.	Facilities .....	2-14
IV.	Compensation and Method of Payment .....	2-14

### **Section 3 - Proposal Application Instructions**

	General Instructions for Completing Applications .....	3-1
I.	Program Overview .....	3-1
II.	Experience and Capability .....	3-2
A.	Necessary Skills .....	3-2
B.	Experience .....	3-2
C.	Quality Assurance and Evaluation .....	3-2
D.	Coordination of Services .....	3-2
E.	Facilities .....	3-2
III.	Project Organization and Staffing .....	3-3
A.	Staffing.....	3-3
B.	Project Organization .....	3-3
IV.	Service Delivery .....	3-4
A.	Project Guidelines .....	3-4
B.	Project Need .....	3-5
C.	Project Goals, Objectives, and Activities to be carried out.....	3-5
D.	Project Work Plan and Timeline.....	3-6
V.	Financial.....	3-6
A.	Pricing Structure.....	3-6
B.	Other Financial Related Materials .....	3-7
C.	License or Accreditation .....	3-8
VI.	Other .....	3-8
A.	Litigation .....	3-8

### **Section 4 – Proposal Evaluation**

I.	Introduction .....	4-1
II.	Evaluation Process.....	4-1
III.	Evaluation Criteria.....	4-2
A.	Phase 1 – Evaluation of Proposal Requirements.....	4-2
B.	Phase 2 – Evaluation of Proposal Application .....	4-3
C.	Phase 3 – Recommendation for Award .....	4-6

### **Section 5 – Attachments**

Attachment A. Competitive Proposal Application Checklist  
Attachment B. Sample Proposal Table of Contents  
Attachment C. Application Cover Page  
Attachment D. Proposal Budget and Budget Justifications

# **Section 1**

## **Administrative Overview**

# Section 1

## Administrative Overview

**Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.**

### I. Procurement Timetable\*

**Note that the procurement timetable represents the State's best estimated schedule.**

<u>Activity</u>	<u>Scheduled Date</u>
Public notice announcing Request for Proposals (RFP)	July 1, 2009
Distribution of RFP	July 1, 2009
RFP orientation session	July 8, 2009
Closing date for submission of written questions for written responses	July 15, 2009
State purchasing agency's response to applicants' written questions	July 23, 2009
Discussions with applicant prior to proposal submittal deadline (optional)	July 2 – August 3, 2009, as needed
Proposal submittal deadline	August 3, 2009
Discussions with applicant after proposal submittal deadline (optional)	August 3, 2009 – Early September 2009
Final revised proposals (optional)	August 10, 2009 – August 24, 2009
Proposal evaluation period	August 3, 2009 – Early September 2009
Provider selection and notice of statement findings and decision	Early September 2009
Contract terms finalized	Mid – Late September 2009
Contract start date	October 1, 2009

\* This timetable of activities is provided for planning purposes only. WDD/ETF reserves the right to cancel any activity or modify the timetable at any time.

## II. Website Reference

**The State Procurement Office (SPO) website is <http://hawaii.gov/spo/>**

	<b>For</b>	<b>Click</b>
1	RFP website	"Health and Human Services, Ch. 103F..." and "The RFP Website" (located under Quicklinks)
2	Forms	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Forms"
3	Cost Principles	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Cost Principles"
4	Standard Contract -General Conditions	"Health and Human Services, Ch. 103F..." "For Private Providers" and "Contract Template – General Conditions"

### Non-SPO websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at <http://hawaii.gov>)

	<b>For</b>	<b>Go to</b>
5	Tax Clearance Forms (Department of Taxation Website)	<a href="http://hawaii.gov/tax/">http://hawaii.gov/tax/</a> click "Forms"
6	Wages and Labor Law Compliance, Section 103-055, HRS, (Hawaii State Legislature website)	<a href="http://capitol.hawaii.gov/">http://capitol.hawaii.gov/</a> click "Bill Status and Documents" and "Browse the HRS Sections."
7	LIR #27 - Certificate of Compliance with Hawaii Labor Laws	<a href="http://hawaii.gov/labor/forms/DCD-LIR27.pdf">http://hawaii.gov/labor/forms/DCD-LIR27.pdf</a>
8	Department of Commerce and Consumer Affairs, Business Registration	<a href="http://hawaii.gov/dcca">http://hawaii.gov/dcca</a> click "Business Registration"
9	Hawaii Compliance Express	<a href="https://vendors.ehawaii.gov/hce/splash/welcome.html">https://vendors.ehawaii.gov/hce/splash/welcome.html</a>
10	Campaign Spending Commission	<a href="http://hawaii.gov/campaign">http://hawaii.gov/campaign</a>

## III. Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 383–128 and its administrative rules, Title 12, Chapter 6, Hawaii Administrative Rules (HAR) which is exempt from Chapter 103F. However, SPO websites are referenced above to provide forms and information applicable to this RFP. All prospective applicants are charged with the presumptive knowledge of all requirements of such cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.



#### **IV. RFP Organization**

This RFP is organized into five sections:

***Section 1, Administrative Overview:*** Provides applicants with an overview of the procurement process.

***Section 2, Service Specifications:*** Provides applicants with a general description of the tasks to be performed, delineates provider responsibilities, and defines deliverables (as applicable).

***Section 3, Proposal Application Instructions:*** Describes the required format and content for the proposal application.

***Section 4, Proposal Evaluation:*** Describes how proposals will be evaluated by the state purchasing agency.

***Section 5, Attachments:*** Provides applicants with information and forms necessary to complete the application.

#### **V. Contracting Office**

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

Department of Labor and Industrial Relations  
Workforce Development Division  
Employment and Training Fund Program  
830 Punchbowl Street, Room 329  
Honolulu, Hawaii 96813  
Phone: (808) 586-8818  
Fax: (808) 586-8822

#### **VI. Orientation**

An orientation for applicants in reference to the request for proposals will be held as follows:

<b>Date:</b>	<u>July 8, 2009</u>	<b>Time:</b>	<u>10:00 a.m. to 12:00 p.m.</u>
<b>Location:</b>	<u>Department of Labor and Industrial Relations</u> <u>830 Punchbowl Street, Conference Room 313</u> <u>Honolulu, Hawaii</u>		

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the paragraph VII, Submission of Questions.

## **VII. Submission of Questions**

Applicants may submit questions to the RFP Contact Person identified in Section 2 of this RFP. All written questions will receive a written response from the state purchasing agency.

Submission of written questions must be received by facsimile or email by:

**Date:** July 15, 2009      **Time:** 4:30 p.m. HST

State agency responses to applicant written questions will be provided by:

**Date:** July 24, 2009

## **VIII. Submission of Proposals**

A. **Forms/Formats** - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website referred to in II. Website Reference. Refer to the Proposal Application Checklist for the location of program specific forms.

1. **Proposal Application Identification (Form SPO-H-200).** Provides applicant proposal identification.
2. **Proposal Application Checklist.** Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
3. **Table of Contents.** A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.
4. **Proposal Application (Form SPO-H-200A).** Applicant shall submit comprehensive narratives that address all of the proposal

requirements contained in Section 3 of this RFP, including a cost proposal/budget if required.

- B. **Program Specific Requirements.** Program specific requirements are included in Section 2, Service Specifications and Section 3, Proposal Application Instructions, as applicable. If required, Federal and/or State certifications are listed on the Proposal Application Checklist located in Section 5.
- C. **Multiple or Alternate Proposals.** Multiple or alternate proposals shall not be accepted. In the event that an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
- D. **Tax Clearance.** Pursuant to HRS Section 103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers shall be required to submit a tax clearance certificate issued by the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). The certificate shall have an original green certified copy stamp and shall be valid for six (6) months from the most recent approval stamp date on the certificate. Tax clearance applications may be obtained from the Department of Taxation website. (Refer to this section's part II. Website Reference.)
- E. **Wages and Labor Law Compliance.** If applicable, by submitting a proposal, the applicant certifies that the applicant is in compliance with HRS Section 103-55, Wages, hours, and working conditions of employees of contractors performing services. Refer to HRS Section 103-55, at the Hawaii State Legislature website. (See part II, Website Reference.)
  - **Compliance with all Applicable State Business and Employment Laws.** All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations unincorporated associations and foreign insurance companies be registered and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See part II, Website Reference.)
- F. **Hawaii Compliance Express (HCE).** Providers may register with HCE for online proof of DOTAX and IRS tax clearance Department of Labor and Industrial Relations (DLIR) labor law compliance, and DCCA good standing compliance. There is a nominal annual fee for the service. The

“Certificate of Vendor Compliance” issued online through HCE provides the registered provider’s current compliance status as of the issuance date, and is accepted for both contracting and final payment purposes. Refer to this section’s part II. Website Reference for HCE’s website address.

G. **Campaign Contributions by State and County Contractors.** Providers are hereby notified of the applicability of HRS Section 11-205.5, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, FAQs are available at the Campaign Spending Commission webpage. (See part II, Website Reference.)

H. **Confidential Information.** If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

*Note that price is not considered confidential and will not be withheld.*

I. **Confidentiality of Personal Information.** Act 10 relating to personal information was enacted in the 2008 special legislative session. As a result, the Attorney General’s General Conditions of Form AG Form 103F, *Confidentiality of Personal Information*, has been amended to include Section 8 regarding protection of the use and disclosure of personal information administered by the agencies and given to third parties.

J. **Proposal Submittal.** All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the State purchasing agency no later than the submittal deadline indicated on the attached Proposal Mail-in and Delivery Information Sheet. All hand deliveries shall be received by the State purchasing agency by the date and time designated on the Proposal Mail-In and Delivery Information Sheet. Proposals shall be rejected when:

- Postmarked after the designated date; or
- Postmarked by the designated date but not received within 7 days from the submittal deadline; or
- If hand delivered, received after the designated date and time.

The number of copies required is located on the Proposal Mail-In and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks.

Faxed proposals and/or submission of proposals on diskette/compact disc or transmission by e-mail, website or other electronic means are not permitted.

## **IX. Discussions with Applicants**

- A. Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- B. After Proposal Submittal Deadline -** Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance HAR Section 3-143-403.

## **X. Opening of Proposals**

Upon receipt of a proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents so received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

## **XI. Additional Materials and Documentation**

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

## **XII. RFP Amendments**

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

### **XIII. Final Revised Proposals**

If requested, final revised proposals shall be submitted in the manner, and by the date and time specified by the state purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *The applicant shall submit **only** the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

### **XIV. Cancellation of Request for Proposal**

The RFP may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

### **XV. Costs for Proposal Preparation**

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

### **XVI. Provider Participation in Planning**

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a RFP, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with HAR Sections 3-142-202 and 3-142-203.

### **XVII. Rejection of Proposals**

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons:

- (1) Rejection for failure to cooperate or deal in good faith. (HAR Section 3-141-201)
- (2) Rejection for inadequate accounting system. (HAR Section 3-141-202)
- (3) Late proposals (HAR Section 3-143-603)

- (4) Inadequate response to request for proposals (HAR Section 3-143-609)
- (5) Proposal not responsive (HAR Section 3-143-610(a)(1))
- (6) Applicant not responsible (HAR Section 3-143-610(a)(2))

### **XVIII. Notice of Award**

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

### **XIX. Protests**

Any applicant may file a protest against the awarding of the contract. The procedures to file a protest can be found in Section 5 of this RFP. Only the state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in this RFP may be protested.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the state purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

<b>Head of State Purchasing Agency</b>	<b>Procurement Officer</b>
Name: Mr. Darwin Ching	Name: Mr. Patrick Fukuki
Title: Director	Title: Business Management Officer
Mailing and Business Address: 830 Punchbowl Street, Room 321 Honolulu, Hawaii 96813	Mailing and Business Address: 830 Punchbowl Street, Room 309 Honolulu, Hawaii 96813

### **XX. Availability of Funds**

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii,

pursuant to HRS Chapter 37, and subject to the availability of State and/or Federal funds.

## **XXI. General and Special Conditions of Contract**

The general conditions that will be imposed contractually are on the SPO website. (See paragraph II, Website Reference). Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.

## **XXII. Cost Principles**

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201, which is available on the SPO website (see paragraph II, Website Reference). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.



## **Section 2**

# **Service Specifications**

## Section 2

# Service Specifications

### I. Introduction

#### A. Overview, purpose or need

Hawaii currently depends on imported fossil fuel, primarily oil, to meet over 90% of its energy needs, and its energy costs are amongst the highest in the Nation. The Lingle Administration attested to this and announced the Hawaii Clean Energy Initiative, an unprecedented and innovative partnership between the State of Hawaii and the U.S. Department of Energy which was entered into on January 28, 2008. The goal of this ambitious initiative is to use renewable resources – such as wind, sun, ocean, and geothermal – to supply 70 percent or more of Hawaii’s energy needs by 2030. Building on this momentum, a historic accord was also reached between the Department of Business, Economic Development, and Tourism (DBEDT), the State Consumer Advocate, and the Hawaiian Electric companies which includes a commitment to have 40 percent of electric power come from renewable sources by 2030.

In addition to being the world’s most isolated archipelago and oil-dependent state in America, Hawaii also produces large amounts of waste in ratio to its landmass; thus, waste from landfills and industrial areas are polluting Hawaii’s unique ecosystems. Environmental pollution can be reduced through waste elimination strategies such as upcycling also known as the *Cradle to Cradle* or C2C design initiated by Michael Braungart and colleagues at the Environmental Protection Encouragement Agency (EPEA), in which everything created can be broken down and thoroughly (100%) recycled for a new purpose; therefore, eliminating waste, saving funds and promoting sustainable efficiency.

The future sustainability of Hawaii’s precious ecosystems is clearly an issue at the forefront of our state not only because it has a significant effect on our economy, but also on the quality of life for all. To further assist environmental efforts put forth by the State of Hawaii, the Department of Labor & Industrial Relations (DLIR) has dedicated all available ETF macro grant monies for the year 2009 to the establishment of innovative “green” training projects where none currently exist in the State. For the purposes of this RFP, “green” training shall be defined as training that falls into one of the following categories: renewable energy resources such as wind, water, or solar power, innovative energy conservation strategies, and pollution reduction through innovative waste elimination strategies.

**B. Planning activities conducted in preparation for this RFP**

A request for information (RFI) published on the State Procurement Notice website on June 19, 2009 to solicit input from the public on the planning process of this RFP. In addition, WDD participated in following meetings:

- Workshop to Assess Workforce Development and Training Needs in Energy Efficiency and Renewable Energy facilitated by the Workforce Development Council;
- Public Hearing to solicit public input on the planning and development process for use of state weatherization funds facilitated by the Office of Community Services;
- Discussions with the community colleges on Green Jobs Development.

**C. Description of the goals of the service**

The purpose of the Employment and Training Fund (ETF) Program is to assist employers and workers through innovative programs to include, but not limited to, business-specific training, upgrade training, new occupational skills, management skills, and support service to improve the long-term employability of Hawaii's people.

The goal of this solicitation is to initiate "green" training projects that develop an eco-friendly workforce in the State of Hawaii by addressing the skill challenges necessary to either alter the infrastructure of current workforce systems (eg. retrofitting) or aid in the establishment of new industries that rely on one or more of the following categories:

1. Renewable energy resources such as water, wind, or solar power; and/or,
2. Innovative energy conservation strategies; and/or,
3. Pollution reduction through innovative waste elimination strategies.

**D. Description of the target population to be served**

The Employment and Training Fund Program assists private sector employers and incumbent workers through grants awarded to employer groups, industry associations, or business consortia for the development of innovative programs to include, but not limited to, business-specific training, upgrade training, new occupational skills, management skills, and support services to improve the long-term employability of Hawaii's people. In this competitive global economy, Hawaii's businesses are confronted by continuous change. Thus, private/public partnerships are essential in efforts to simultaneously address economic developments and workforce developments. By meeting critical private sector training needs and improving the workforce of Hawaii's people, we can better prepare for the challenges that lie ahead.

**E. Geographic coverage of service**

The service area is the State of Hawaii which includes: 1) City and County of Honolulu, 2) County of Hawaii, 3) County of Maui, and 4) County of Kauai. Applicant may provide services in one or more of the service areas mentioned above, however, only one proposal per applicant shall be considered by the DLIR for the evaluation process. If applicant submits multiple proposals only the most recent proposal submitted by the submittal deadline will be considered.

The applicant is responsible for identifying clearly the geographic areas that it proposes to serve. Preference shall be given to proposals that provide service in areas in which: 1) a demonstrated need for training in high demand occupations and industries where there are critical skill shortages is identified, and 2) training supports new, expanding, and diversified industries in Hawaii.

**F. Eligibility Requirements**

Employer groups or non-profit organizations (ie. private sector business consortia or industry groups/associations) in partnership with training providers and/or governmental agencies are eligible to apply. All grant applications must specify a single recipient of program funds and have private sector employer input and approval.

**G. Probable funding amounts, source, and period of availability**

Up to four (4) grants, not to exceed \$100,000 per grant, will be awarded under this request for proposals (RFP). Every contract awarded shall be subject to the availability of ETF funds, and may be terminated without liability to the State.

In the event that additional federal or other funds become available, additional contracts may be awarded under this RFP based on funding availability.

The contract term will be for a maximum period of 12 months; which is subject to one no-cost extension upon mutual consent of the contracting organization and the DLIR, WDD.

**II. General Requirements****A. Qualifying Standards**

1. Applicant and its subcontractor(s), if applicable, must be doing business in the State of Hawaii for at least one year and have at least one year's experience with the project or in the program area for which the request or proposal is being made.

2. Applicant shall employ or have under contract persons who are qualified to engage in the program or activities to be funded by the State.
3. Applicant shall not use ETF funds under this RFP for purposes of entertainment or perquisites.
4. Applicant currently shall not be debarred from receiving any federal, State, or county funds.
5. Applicant currently shall not be under investigation or litigation by any federal, State, or county agency.
6. Applicant shall not be delinquent on federal or State tax payments.
7. Applicant shall hold all licenses, certificates, permits and accreditations required under applicable federal, state, and county laws, ordinances, codes and rules to provide the training services being offered, including good business standing with the State Department of Commerce and Consumer Affairs, Business Registration Division.
8. Applicant shall comply with Hawaii Labor Law requirements of §3-122-112, Hawaii Administrative Rules.
9. Applicant, if selected, shall provide course syllabus(es) for curriculum developed as a result of this RFP which describes course objective, course content, duration, schedule, training site, price of tuition, and, if applicable, any prerequisites.
10. Applicant, if selected, shall meet requirements for the training facility, personnel, reporting, training, and other conditions specified in item III, Scope of Work, of this section.
11. Should federal funds become available through this RFP, Applicant shall meet additional state and federal requirements applicable to the funding source in addition to those contained in this RFP.

**B. Preliminary requirements to be met before executing a state contract**

Applicants, if selected for an ETF award as a result of this RFP, will be asked to complete the following actions before a contract can be fully executed:

1. Furnish proof of compliance with the requirements of 103D-310(c) HRS which includes the following documentation requirements: a valid certified original “green stamped” copy of tax clearance (Form A-6) with both State and IRS approvals; Certificate of Compliance

with DLIR, Section 3-122-112, H.A.R. (Form LIR#27); and Certificate of Good Standing issued by the DCCA. A Certificate of Vendor Compliance from Hawaii Compliance Express (<http://vendors.ehawaii.gov/hce/splash/welcome.html>) is a single certificate that will expedite your ability to furnish proof of compliance;

2. If any institution is used to provide training under this RFP, Applicant shall provide a copy showing evidence of the training institution's accreditation, licensure, or exemption thereof as follows:
  - a. Post Secondary degree-granting schools shall be accredited by an accreditation body recognized by the U.S. Department of Education;
  - b. Professional or Vocation licensing schools shall be registered as a school with the appropriate board under the State Department of Commerce and Consumer Affairs; or
  - c. Private schools that do not meet criteria described in items 2a and 2b above shall be licensed by the State Department of Education (DOE), except as exempted by State statute (see Hawaii Administrative Rules §8-101-2 for a list of exemptions). If applicable, DOE licensure applications will be available at the scheduled RFP Orientation listed in Section 1, item IV, of this RFP.
3. Prepare a resolution from the governing board of the organization authorizing the executive officer to execute a contract with the Department of Labor and Industrial Relations, State of Hawaii. This is an official document that must be on company letterhead with corporate seal. Signatures must be notarized signatures of project personnel who will be authorized to draw funds from the ETF grant.
4. Provide documentation of liability insurance policy, which provides coverage of at least \$1,000,000 for each occurrence, \$2,000,000 aggregate, which will be in effect for the duration of the proposed services; and
5. Participate in a pre-award survey conducted by an ETF fiscal officer and be determined to have the capacity to administer the grant effectively and to meet all State of Hawaii fiscal and administrative requirements;

**C. Secondary purchaser participation**  
(Refer to HAR Section 3-143-608)

After-the-fact secondary purchases will be allowed.  
Planned secondary purchases-None

**D. Multiple or alternate proposals**  
(Refer to HAR Section 3-143-605)

☐ Allowed ☒ Unallowed

**E. Single or multiple contracts to be awarded**  
(Refer to HAR Section 3-143-206)

☐ Single ☒ Multiple ☐ Single & Multiple

Up to three (3) grants, not to exceed \$100,000 per grant, will be awarded under this RFP. Additional grants may be awarded in the event that additional funds become available.

**F. Single or multi-term contracts to be awarded**  
(Refer to HAR Section 3-149-302)

☒ Single term (2 years or less) ☐ Multi-term (more than 2 years)

**F. Relationship between Parties**

**Subcontracts**

Applicants who meet the eligibility requirements set forth in item II, A, General Requirements of this Section may be allowed to subcontract its instructional duties or obligations under this RFP and its awarded contract, if (i) the applicant obtains the prior written consent of the DLIR, WDD; (ii) the applicant assumes sole responsibility for the accuracy, completeness, and adequacy of the subcontractor's performance of the terms and conditions set forth in the RFP and its awarded contract; (iii) the applicant submits all of the required information demonstrating the subcontractor's qualifications and credentials as required in the RFP and its awarded contract; (iv) the applicant does not employ qualified instructors to teach the subject matter to be taught by the subcontractor; (v) the applicant assumes sole responsibility and liability for any claim or action by any person who has furnished labor or material to or on behalf of the vendor pursuant to this RFP and awarded contract; (vi) the applicant assumes sole responsibility and liability for any claim or action, brought by any person as a result of the subcontractor's actions or omissions under this RFP; and (vii) the applicant's subcontractor submits to the DLIR, WDD a tax clearance certificate from the Director of Taxation, State of Hawaii, showing that all taxes levied or accrued under State law have been paid.

**Contract terms:**

Initial term of contract: 1 year (12 months)

Length of each extension: 1 year subject to the availability of funds, satisfactory service delivery, and sufficient justification for the extension is provided

Number of possible extensions: 1

Maximum length of contract: 2 years (24 months)

The initial period shall commence on the contract start date or Notice to Proceed, whichever is later.

Conditions for extension: Provider must submit their request for extension in writing in the form of a subsequent proposal to extend services. A supplemental agreement must be executed prior to the original contract expiration in order to be valid.

**G. RFP contact person**

The individual listed below is the sole point of contact from the date of release of this RFP until the selection of the successful provider(s). Written questions should be submitted to the RFP contact person and received by the date and time specified in Section 1, paragraph I (Procurement Timetable) of this RFP.

Point of Contact: Tricia Malloy, Program Specialist

Phone Number: (808) 586-8818

E-mail: [tmalloy@dlir.state.hi.us](mailto:tmalloy@dlir.state.hi.us)

### **III. Scope of Work**

The scope of work encompasses the following tasks and responsibilities:

**A. Service Activities**

(Minimum and/or mandatory tasks and responsibilities)

**PROGRAM DESIGN**

Applicant has the flexibility to design their program but must address the following project guidelines:

1. **The project must include “green” training** which for the purposes of this RFP, shall be defined as training that falls into one of the following categories:
  - a. Renewable energy resources such as water, wind, or solar power; and/or,
  - b. Innovative energy conservation strategies; and/or,
  - c. Pollution reduction through innovative waste elimination strategies. Within this category, priorities will be given to projects that utilize a C2C design<sup>1</sup>.

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<sup>1</sup> C2C or Cradle to Cradle design is a model which was initiated by Michael Braungart and colleagues at the Environmental Protection Encouragement Agency (EPEA), in which everything created can be broken down and



2. **The project should aggregate a community training need.** After a need for “green” training is identified in the community, applicants should identify businesses with similar needs and invite them to participate in project development and benefits.
3. **The project should have sufficient justification.** Applicants should show how the proposed training will address a critical business concern. Demand for the proposed training should also be evident.
4. **The project should not duplicate or supplant existing community training initiatives.** Proposed training should be non-existent, unavailable in the region (e.g., available on Oahu but not Maui), or inadequate (available, but justifiably does not fit need).
5. **The project should be consistent with the long-term goals of the businesses involved.** Proposed training should have a long-term impact on companies and demonstrate how training is consistent with their long-term goals.
6. **The project should become self-sufficient.** ETF will provide seed money for initial costs (e.g., curriculum development) which would otherwise prohibit creation of the initiative. The proposal should include a plan to continue training after ETF funds end.
7. **The project must have at least 50% dollar or in-kind support.** Partners must commit at least 50 percent of the assistance in dollar and/or in-kind contributions (e.g., administrative oversight time, training facilities).
8. **The project must include a detailed, line item budget.** Each cost must be itemized (e.g., contractual services, supplies, mileage) and justified in detail.
9. **The project should have clearly defined specific objectives and measurable outcomes.** These objectives and outcomes shall be particularly measured by their impact on environmental sustainability (eg. reducing the size of the organization’s carbon footprint<sup>2</sup>) due to workforce development in one or more of the following categories:
  - a. Renewable energy resources such as water, wind, or solar; and/or,
  - b. Innovative energy conservation strategies; and/or,

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thoroughly (100%) recycled for a new purpose; therefore, eliminating waste, saving funds and promoting sustainable efficiency.

<sup>2</sup> A Carbon Footprint is defined as “the total set of GHG (greenhouse gas) emissions caused directly and indirectly by an organization, event, or product”. An [organization](#)'s carbon footprint is measured by undertaking a GHG emissions assessment. Once the size of a carbon footprint is known, a strategy can be devised to reduce it.

- c. Pollution reduction through innovative waste elimination strategies.

**10. The project proposal should also address the following:**

- Types of training (upgrade, retraining, new skills, capacity building),
- Number of employees to be trained and cost per trainee,
- Length of training (up to one year), and
- Qualified training providers.

**PRIORITIES**

ETF priorities are:

- Services to small businesses,
- Training in high demand occupations and industries where there are critical skill shortages,
- Projects that are designed to be self-sustaining, thereby making education and training an integral part of organizations' mission, and
- Training that supports new, expanding, and diversified industries in Hawaii.

**Contract Conditions and Requirements**

By signing the contract, the applicant agrees to comply with the conditions and requirements listed below. Failure to comply will result in prohibition from applying for an ETF grant for five years from termination date (Section 383-138 of the Hawaii Revised Statutes). A copy of Chapter 383, Sections 128 and 129, Hawaii Revised Statutes, and Title 12, Subtitle 2, Chapter 6 of Hawaii Administrative Rules, which authorize and govern ETF, will be provided upon request. Contractors must:

- comply with all applicable federal, county, and state laws;
- allow the Director, legislative bodies, and legislative auditor full access to records, reports, files, and other related documents;
- avoid conflict of interests;
- maintain program and management information;
- maintain fiscal records in accordance with accepted accounting practices;
- provide program progress, final, and follow-up reports; and
- comply with any other requirement the Director may prescribe.

**B. Management Requirements (Minimum and/or mandatory requirements)**

If selected for an ETF award, the applicant must comply with the following:

**1. Personnel**

- a. Applicant shall have written position descriptions, requirements and qualifications, policies and procedures to ensure that all personnel and/or subcontractors are fully qualified to engage in activities and perform the work requested under this RFP.
- b. Applicant shall ensure that only personnel or subcontractors who possess at least one (1) year full-time experience in teaching or who are certified or have a degree in the subject area being taught are used as instructors. Applicant, if selected, is required to send resumes to WDD of any instructor that is hired or subcontracted after the execution of the contract.
- c. Applicant shall be responsible for having qualified fiscal staff and other administrative staff to properly account for all funds received and to insure the training is being provided in a proper and satisfactory manner and in compliance with all requirements of the contract awarded.

**2. Administrative**

Applicant shall apply commonly acceptable accounting procedures, standards, and practices which are acceptable to the DLIR and shall maintain written policies and procedures for all services provided under this RFP, including but not limited to: personnel standards, operating procedures, attendance roster and sign-in sheets, record-keeping, data gathering, reporting, financial administration, quality assurance, monitoring and evaluation.

Applicant shall prepare a resolution from the governing board of the organization authorizing the executive officer to execute a contract with the Department of Labor and Industrial Relations, State of Hawaii. This is an official document that must be on company letterhead with corporate seal. Signatures must be notarized signatures of project personnel who will be authorized to draw funds from the ETF grant.

As a condition of the contract, Applicant shall be required to participate in pre and post-award surveys to be conducted by the DLIR to demonstrate that it has the necessary accounting and financial management systems in place. All books, records, and documents shall be subject to reviews or audits by the State.

Under the ETF Agreement, *General Conditions, Section 26, Ownership Rights and Copyright*, any equipment purchased with ETF funds becomes the property of the State of Hawaii after the termination date of the Agreement. Any curricular material or computer software developed by the project is also the property of the State and cannot be copyrighted. If the project continues and its performance is satisfactory, it is usually in the best interest of the State to permit continued use of the equipment and curricular materials for training purposes.

### **3. Quality assurance and evaluation specifications**

#### **a. Monitoring**

The DLIR reserves the right to review and monitor any services or expenditures of funds available as a result of this RFP.

Applicant shall be responsible for the following:

- Recording all cash and/or in-kind contributions made by supporting partners and/or employers;
- Overall compliance with contract terms;
- High quality of training; and
- Sound administrative practices.

#### **b. Evaluation**

Applicant shall have each trainee complete a written course evaluation of the instructor as well as the course content and delivery immediately after the completion of a course in a format to be designated by the State and keep these evaluations on file for the DLIR upon request.

#### 4. Output and performance/outcome measurements

Applicant shall set forth clearly defined specific objectives and measureable outcomes that are:

- Realistic and achievable
- Measureable and results-oriented
- Related to the stated problem/need
- Demonstrates the ability to be self-supporting after ETF funding ceases.
- Extends services to as many employers and workers as possible

Applicant shall also provide bi-monthly program progress reports (see Item 7B), a final report, and any follow-up reports that may be required.

#### 5. Experience

Applicant shall provide evidence of agency, subcontractor, and/or instructor's experience working in the subject area for which services are being performed under this RFP. Applicant must meet the following standards:

- be licensed and accredited, as applicable, under the laws of the state;
- have at least one year's experience with the project in the program area for which the request or proposal is being made, except that the director may grant an exception where the project or program area deals with new industry training;
- be, employ, or have under contract persons who are qualified to engage in the program or activity to be funded by the state; and
- demonstrate financial soundness;

#### 6. Coordination of services

Applicant shall coordinate with the business community and/or other agencies and resources in the field for which training services are being provided to ensure that services provided meet the needs of the businesses being served.

Projects should **document** the need and labor demand for the training offered and the interest of the target population in enrolling in such training. Interest shall be documented by surveys or letters of support from employers verifying the need for training.

**7. Reporting requirements for program and fiscal data**

- a. Applicant shall, in accordance with generally accepted accounting practices, maintain fiscal records and supporting documents and related files, papers, receipts, reports and other evidence that sufficiently and properly reflect all direct and indirect expenditures and management and fiscal practices related to its performance under this Agreement. All records related to this Agreement shall be retained for at least three (3) years from the date of final payment under the Agreement as provided in paragraph 2.3 and 3.2 of the General Conditions (See Section 5).
- b. In order that STATE may monitor agreement compliance, Applicant shall submit to STATE written:
  - i. Monthly fiscal reports within seven (7) calendar days of the last day of a month during the term of the Agreement. The fiscal reports shall detail Applicant's usage of compensation paid to it pursuant to this Agreement and outline the expenditures incurred. Applicant shall certify the fiscal reports as to accuracy. Applicant shall be responsible for obtaining detailed fiscal reports, along with supporting documents and receipts, from any assignee or subcontractor paid under this Agreement in a format determined by STATE; and
  - ii. Bi-monthly program progress reports within fourteen (14) calendar days after the end of the previous reporting period. The program progress reports shall include the following:
    - Status/Update information including, but not limited to: 1) period covered; 2) accomplishments relating to training objectives; 3) major activities and events; 4) problems and resolutions; and 5) recommendations;
    - Trainee's evaluations will be accessible to STATE for review upon request;
    - Trainee information will be accessible to STATE for review upon request. Information should include: 1) number of trainees; 2) their names; 3) their job titles; 4) their employers' name; 5) business telephone numbers and/or addresses; and 6) if available, approximate size of employers' business;
- c. Reporting Penalty: If Applicant fails to file the written fiscal reports, the program progress reports, or both on or before the required dates or files incomplete or unacceptable written fiscal reports, program

progress reports, or both, STATE may withhold payments to Vendor until such time as the reports are acceptable and filed with STATE.

- d. In addition to the fiscal and program reports, Applicant shall submit additional written reports that STATE may from time to time require upon request. These reports shall be sent to STATE care of the following address: Program Coordinator, Employment and Training Fund, Workforce Development Division, Department of Labor and Industrial Relations, 830 Punchbowl Street, #329, Honolulu, Hawaii 96813-5045.
- e. At the request of STATE, Applicant shall make available program records, delivery records, fiscal records, and any other information relating to the Agreement.
- f. Final Report: Applicant shall submit a Final Report to STATE within 60 days upon the completion of this Agreement (see section 5). Items to be covered in the Final Report include, if applicable, all information required in the program progress reports (see section 5) and the following:
  - i. List of inventory/equipment purchased in accordance with this Agreement (see section 5);
  - ii. Final accounting of all amounts received and expenditures in accordance with this Agreement (see section 5).

#### **C. Facilities**

Applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable and special equipment that may be required for the services.

Potential training facility sites used under this RFP must be identified by the applicant prior to the contract award. After the contract award, any additional sites not listed in the award must first have prior written approval by the DLIR.

### **IV. COMPENSATION AND METHOD OF PAYMENT**

#### **Cost Reimbursement**

The cost reimbursement pricing structure reflects a purchase arrangement in which the purchasing agency pays the provider for budgeted agreed-upon costs that are

actually incurred in delivering the services specified in the contract, up to a stated maximum obligation.

ETF will not fund the salaries or wages of trainees nor will it provide moneys for meals, refreshments, or transportation. Administrative costs associated with the project will not be funded beyond 10 percent of the total ETF award. Reimbursement shall be the preferred method of payment.

Payments may be made on a monthly basis upon receipt of a completed request for payment in the form of an ETF Expenditure and Cash Request Report (ECRR), along with acceptable supporting documents and receipts due within seven (7) calendar days of the last day of a month during the term of the Agreement and under what conditions.



## **Section 3**

# **Proposal Application Instructions**

## Section 3

# Proposal Application Instructions

### General instructions for completing applications:

- *Proposal Applications shall be submitted to the state purchasing agency using the prescribed form as outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section however may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through for each section. See sample table of contents in Section 5.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in Section 5, Attachment B of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are **strongly** encouraged to review evaluation criteria in Section 4, Proposal Evaluation when completing the proposal.*
- *This form (SPO-H-200A) is available on the SPO website (see Section 1, paragraph II, Website Reference). However, the form will not include items specific to each RFP. If using the website form, the applicant must include all items listed in this section.*

### The Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

## I. Program Overview

Applicant shall give a brief overview to orient evaluators as to the program/services being offered. Describe the organization requesting a training grant including the product(s) or service(s) of the organization and its location(s).

## **II. Experience and Capability**

Applicant shall describe the experience and capability of its organization **and** subcontractor(s), if applicable, to provide the proposed services by addressing the following:

### **A. Necessary Skills**

The applicant shall demonstrate that it has the necessary skills, abilities, and knowledge relating to the delivery of the proposed services.

### **B. Experience**

The applicant shall provide a description of projects/contracts pertinent to the proposed services and demonstrate at least one year's experience with the project and/or subject area for which services will be provided under this RFP.

The applicant shall include points of contact, addresses, e-mail/phone numbers. The State reserves the right to contact references to verify experience.

### **C. Quality Assurance and Evaluation**

The applicant shall describe its own plans for quality assurance and evaluation for the proposed services, including methodology. The following questions should also be addressed:

- a. Describe how the project will be reviewed, evaluated, and corrective actions taken?
- b. Identify the person or organization responsible for this evaluation and oversight?
- c. How often will the monitoring and evaluation be conducted?
- d. How will self-sufficiency be evaluated after the contract ends?

### **D. Coordination of Services**

The applicant shall describe collaboration with other businesses and/or organizations and identify the businesses and other partners collaborating on this project including a description of the roles and responsibilities of each partner.

### **E. Facilities**

The applicant shall describe project site including:

- a. Location of project site (by island if applicable)
- b. Location of training site(s)
- c. Name of facility (if known)

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable and special equipment that may be required for the services.

### **III. Project Organization and Staffing**

#### **A. Staffing**

##### **1. Proposed Staffing**

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. (Refer to the personnel requirements in the Service Specifications, as applicable.)

##### **2. Staff Qualifications**

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable) Describe qualifications of key personnel including but not limited to:

- a. Project Director
- b. Curriculum Developer
- c. Instructors
- d. Fiscal Person/ Accountant
- e. Program Evaluator

#### **B. Project Organization**

##### **1. Supervision and Training**

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services.

##### **2. Organizational Structure**

Describe the organization structure including:

- 1) Number of years in existence;
- 2) Number of years of experience with the project or program area in which proposal is being made (Attach summary of experience or reports).
  - if less than one year, is it a new industry? \_\_\_\_Yes \_\_\_\_No
  - if yes, is an exception being requested? \_\_\_\_Yes \_\_\_\_No
  - if yes, provide justification including reason why one year

requirement was not met, a summary of experience in related areas, and how the organization plans to insure that training services are provided by qualified instructors.

### 3. Organization Chart

The applicant shall reflect the position of each staff and line of responsibility/supervision (Include position title, name and full time equivalency). Both the “Organization-wide” and “Program” organization charts shall be attached to the Proposal Application. If any services provided under the Agreement are subcontracted, applicant shall provide organization charts as stated above for any subcontracted agency/training provider.

## IV. Service Delivery

### A. Project Guidelines

1. **Describe in detail how a need for “green” training is addressed through the proposed project.** For the purposes of this RFP, “green” training is defined as training that falls into one or more of the following categories:
  - a. Renewable energy resources such as water, wind, or solar power; and/or,
  - b. Innovative energy conservation strategies; and/or,
  - c. Pollution reduction through innovative waste elimination strategies.
 Please note that priority will be given to projects within this category that utilize a C2C design.
2. **Describe how a need for “green” training was identified in the community.** Were other businesses with similar needs identified and invited to participate in project development and benefits?
3. **Describe how the proposed training will address a critical business concern.** Is demand for the proposed training evident?
4. **Describe measures taken to ensure that the project does not duplicate or supplant existing community training initiatives.** Describe how the proposed training is either non-existent, unavailable in the region (e.g., available on Oahu but not Maui), or inadequate (available, but justifiably does not fit need).
5. **Describe how the project is consistent with the long-term goals of the businesses involved.** Proposed training should have a long-term impact on

companies and demonstrate how training is consistent with their long-term goals.

6. **Describe the project's plan for self-sufficiency.** ETF will provide seed money for initial costs (e.g., curriculum development) which would otherwise prohibit creation of the initiative. How does the project plan to continue training after ETF funds ends?
7. **Describe sources of cash or in-kind support for the project.** Proposal should identify partners who, in total, must commit at least 50 percent of the ETF award amount requested in dollar and/or in-kind contributions (e.g., administrative oversight time, training facilities).
8. **Clearly define specific objectives and measurable outcomes of the project.** These objectives and outcomes shall be particularly measured by their impact on environmental sustainability (eg. reducing the size of the organization's carbon footprint) due to workforce development of one or more of the following categories:
  - a. Renewable energy resources such as water, wind, or solar power; and/or,
  - b. Innovative energy conservation strategies; and/or,
  - c. Pollution reduction through innovative waste elimination strategies.
9. **Include detailed project objectives in your proposal such as:**
  - a. Types of training (upgrade, retraining, new skills, capacity building),
  - b. Number of employees to be trained and cost per trainee,
  - c. Length of training, and
  - d. A detailed description of qualified training providers to be subcontracted, if applicable.

## B. **Project Need**

Describe the need for the project. Include results of a needs assessment and show that a demand for the proposed training exists among business, industry and/or the community. Please attach appropriate supporting documentation including surveys or letters of support from businesses committed to support, collaboration and/or participation in the project.

1. How were the needs identified (survey, focus groups, other)?
2. When was the assessment conducted?
3. Identify who was targeted for the survey and/or participated in focus groups?
4. In which geographic area(s) were these needs identified?
5. What kind of training is available to meet these needs?
6. Can these needs be met without ETF funds? If no, describe why not.

**C. Project Goals, Objectives, and Activities to be carried out** (Section 2, Items III-A, Project Guidelines and III-B4, Output and Performance Outcome Measurements)

Describe (please be specific) the training project implementation plan including:

1. Project Goals (purpose of the project);
2. Measurable objectives or outcomes (e.g., describe in terms of numerical goals, deliverables and/or products)
3. Types of training to be conducted and length of training;
4. Logistics (geographic areas where training will be delivered);
5. Projected number of trainees and cost per trainee;
6. Types of employees targeted for training: owners, supervisors/managers, staff/employees;
7. Projected number of employers (including projected percentage of businesses with fewer than 25 employees) to benefit;
8. Qualifications (including resumes) of training providers;
9. Other activities to be carried out; and
10. Plan for self-sufficiency (how will the project be self-supporting and permanent after the grant period).

**D. Project Work Plan and Timeline of Service Activities**

The applicant shall include a detailed discussion of the applicant's approach to applicable service activities and management requirements from Section 2, Item III. - Scope of Work, including a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules. Timeline should describe the major activities for each month, including the projected cumulative number of trainees and businesses that will benefit. Prior to the end of the contract, training should be completed and a system for continuing the project after ETF funding ends should be in place.

**V. Financial**

**A. Pricing Structure**

Applicant shall submit a cost proposal utilizing a cost reimbursement method of payment. The cost proposal shall be attached to the Proposal Application.

As applicable, provide a budget with line-item detail and detailed calculations for each budget object class identified in the budget forms below. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. Each

cost must be itemized (e.g., contractual services, supplies, mileage) and justified in detail.

Please note that Administrative costs associated with the project will not be funded beyond 10 percent of the total ETF award.

All budget forms, instructions and samples are located on the SPO website (see Section 1, paragraph II Websites referred to in this RFP) with the exception of the specific instructions for SPO-H-205A and forms and instructions for the following Budget Justifications which are contained in Section 5 of this RFP:

- Cash & In-kind Contributions
- Indirect Costs
- Other Costs

The following budget form(s) shall be submitted with the Proposal Application:

- a. SPO-H-205A Proposal Budget for FY 2009-2010 (See Section 5)
- b. SPO-H-206A Budget Justification – Personnel: Salaries and Wages
- c. SPO-H-206B Budget Justification – Personnel: Payroll Taxes, Assessment and Fringe Benefits
- d. SPO-H-206C Budget Justification – Travel: Inter-Island
- e. SPO-H-206D Budget Justification – Travel: Out-of-State
- f. SPO-H-206E Budget Justification – Contractual Services: Administrative
- g. SPO-H-206F Budget Justification – Contractual Services: Subcontracts
- h. SPO-H-206H Budget Justification – Program Activities
- i. SPO-H-206I Budget Justification – Equipment Purchases
- j. Budget Justification – Other Costs (see Section 5)
- k. Budget Justification – Equipment Purchases (see Section 5)
- l. Budget Justification – Cash & In-kind Contributions (see Section 5)

The applicant shall also utilize form SPO-H-201, Chapter 103F, HRS, Cost Principles in Purchases of Health and Human Services, in preparing its cost proposal.

In completing the required budget forms, the applicant should consider the evaluation criteria contained in Section 4, whereby the comprehensiveness of the information presented and the justification of all cost items are particularly important factors. If more space is needed to fully explain and justify the proposed cost items, the applicant should attach additional sheets as necessary.



**B. Other Financial Related Materials****1. Last Financial Audit**

The Applicant shall submit a summary report of the last financial audit conducted of the organization, including any findings and recommendations made by the auditor in order to demonstrate the adequacy of the Applicant's accounting system.

**2. Proof of compliance with the requirements of 103D-310(c) HRS**

The Applicant shall furnish proof of compliance with the requirements of 103D-310(c) HRS which includes the following documentation requirements:

- A valid certified original "green stamped" copy of tax clearance (Form A-6) with both State and IRS approvals;
- Certificate of Compliance with DLIR, Section 3-122-112, H.A.R. (Form LIR#27); and
- Certificate of Good Standing issued by the DCCA.

A Certificate of Vendor Compliance from Hawaii Compliance Express is a single certificate that will expedite your ability to furnish proof of compliance with the requirements of 103D-310(c) HRS as stated above. There is a nominal annual fee for the service. The "Certificate of Vendor Compliance" issued online through HCE provides the registered provider's current compliance status as of the issuance date, and is accepted for both contracting and final payment purposes. Refer to Section 1, part II., *Website Reference*, for HCE's website address.

**C. License or Accreditation**

Any institution used to provide training services under this RFP shall meet the criteria provided below and furnish proof of compliance:

1. Post Secondary degree-granting schools shall be accredited by an accreditation body recognized by the U.S. Department of Education;
2. Professional or Vocation licensing schools shall be registered as a school with the appropriate board under the State Department of Commerce and Consumer Affairs; or
3. Private schools that do not meet criteria described in items 1 and 2 above shall be licensed by the State Department of Education (DOE), except as exempted by State statute (see Hawaii Administrative Rules §8-101-2 for a list of exemptions). If applicable, DOE licensure applications will be available at the scheduled RFP Orientation listed

in Section 1, item IV, of this RFP.

**VI. Other**

**A. Litigation or Investigation**

The Applicant shall disclose any pending litigation, to which they are a party, including the disclosure of any outstanding judgment. If applicable, please explain. Also disclose any investigation by a federal, state, or county agency.

# **Section 4**

## **Proposal Evaluation**

## Section 4

# Proposal Evaluation

### I. Introduction

The evaluation of proposals received in response to this RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

### II. Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the state purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements      Pass or Reject
- Phase 2 - Evaluation of Proposal Application      (1-100 Points)
- Phase 3 - Recommendation for Award      Pass or Reject

#### Evaluation Categories and Thresholds

<u>Evaluation Categories</u>		<u>Possible Points</u>
<i><b>Proposal Requirements</b></i>	Pass or Reject	<b>Pass or Reject</b>
<i><b>Proposal Application</b></i>		<b>100 Points</b>
Program Overview	0 points	
Experience and Capability	20 points	
Project Organization and Staffing	10 points	
Service Delivery	60 points	
Financial	10 Points	
<b>TOTAL POSSIBLE POINTS</b>		<b>100 Points</b>
<i><b>Recommendation for Award</b></i>	Pass of Reject	<b>Pass or Reject</b>

### III. Evaluation Criteria

#### A. Phase 1 - Evaluation of Proposal Requirements

##### 1. Administrative Requirements

- ☐ Proposal Application Packet (see section 3)
- ☐ Proposal Application Checklist (see Section 5)
- ☐ Certificate of Good Standing with the DCCA, Certificate of Compliance with Section 3-122-112, HAR (Form LIR #27), and Tax Clearance Certificate (original green stamped)
- OR-
- “Certificate of Vendor Compliance” from Hawaii Compliance Express (HCE)
- ☐ Evidence of accreditation or licensure required under federal, state, or county ordinances, codes and rules to provide training services or documented exemption thereof.
- ☐ Copy of the Applicant’s last financial audit
- ☐ Applicant is compliant with the terms and conditions as set forth in Section 2 of this RFP.
- ☐ Project supports a green training initiative in one or more of the following categories:
  - renewable energy resources such as water, wind, or solar power;
  - **innovative** energy conservation strategies; and/or
  - **innovative** waste elimination strategies.
- ☐ Project does not supplant or duplicate existing training initiatives.
- ☐ Documented needs assessment in the form of survey or letters of support from participating businesses.
- ☐ Proposal Budget which contains at least 50% of the grant amount requested in the form of matching cash or in-kind contributions.
- ☐ Project Timeline and Work Plan of Service Activities including a realistic and achievable plan for self-sufficiency after ETF funding ends.
- ☐ Request for funding is for a period of one year.
- ☐ Applicant is an employer group or non-profit organization (ie. private sector business consortia or industry group/association) in partnership with training provider(s) and/or governmental agencies.
- ☐ Project accepts cost reimbursement method of payment.

##### 2. Proposal Application Requirements

- ☐ Proposal Application Identification Form (Form SPO-H-200 must be signed by Authorized Representative)
- ☐ Table of Contents
- ☐ Program Overview

- ☐ Experience and Capability
- ☐ Project Organization and Staffing
- ☐ Service Delivery
- ☐ Financial (All required forms and documents)
- ☐ Program Specific Requirements (as applicable)

**B. Phase 2 - Evaluation of Proposal Application  
(100 Points)**

**Program Overview:** No points are assigned to Program Overview. The intent is to give the applicant an opportunity to orient evaluators as to the service(s) being offered.

**1. Experience and Capability (20 Points)**

The State will evaluate the applicant's experience and capability relevant to the proposal contract, which shall include:

**A. Necessary Skills**

- Demonstrated skills, abilities, and knowledge relating to the delivery of the proposed services. 5

**B. Experience**

- Demonstrated necessary staffing, experience and capability to undertake the project. 2
- Entity to provide training service has demonstrated necessary qualifications and expertise to conduct the training. 2

**C. Quality Assurance and Evaluation**

- Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology. 5
- Sufficiency of evaluation plans for self-sufficiency of the project after the contract ends. 2

**D. Coordination of Services**

- Demonstrated capability to coordinate services with other agencies and resources in the community. 2

**E. Facilities**

- Adequacy of facilities and equipment suitable for the proposed services being offered. 2

**2. Project Organization and Staffing (10 Points)**

The State will evaluate the applicant's overall staffing approach to the service that shall include:

**A. Staffing**

- Proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services. 2
- Minimum qualifications (including experience) for staff assigned to the program includes at least one year of experience and is sufficient to carry out the proposed services. 3

**B. Project Organization**

- Supervision and Training: Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services. 2
- Organization Chart: Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks. 3

**3. Service Delivery (60 Points)**

Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application.

**A. Project Need**

- Demonstrated problem or need for "green" training project is addressed under one or more of the following categories: renewable energy resources, **innovative** energy conservation strategies, or **innovative** waste elimination strategies. 10
- Extent to which the proposal is based on a collaborative agreement among training providers, employers, or other organizations to 5

benefit an industry, a group of businesses, a geographic area, or a specified group of workers. \_\_\_\_\_

**B. *Project Goals, Objectives, and Activities to be carried out***

- Extent to which the proposed project's goals and objectives contributes to the establishment of a sustainable and skilled workforce in the State that falls into one or more of the following categories: renewable energy resources, **innovative** energy conservation strategies, or pollution reduction through **innovative** waste elimination strategies **(within this category, more points will be awarded to projects utilizing a C2C design)**. 10
- Proposed objectives are realistic and achievable. 3
- Proposal demonstrates measurable, results-oriented objectives related to the stated problem/need. 5
- Extent to which the method of service delivery is appropriate to meet project goals and achieve training objectives for the targeted population/geographic area. 5
- Extent to which the proposal extends service to as many employers and workers possible. 2

**C. *Project Timeline and Work Plan of Service Activities***

- Demonstrated logic of the work plan for the major service activities and tasks to be completed, including clarity in work assignments and responsibilities, and the realism of the timelines and schedules 10
- Extent to which the proposal clearly describes the training process from beginning to end. 2
- Timeline is realistic and consistent with desired outcomes. 3
- Demonstrated ability to be self-supporting after ETF funding ceases. 5

**4. *Financial (10 Points)***

- Pricing structure is based on cost reimbursement method of payment. 2
- Personnel costs are reasonable and comparable to 3



positions in the community and program costs are reasonable and appropriate in order to carry out the proposed services.

- Extent to which the budget shows a significant amount of matching funds as compared to the total ETF funds requested. The project must have at least 50% matching funds in the form of cash or in-kind support.
- Adequacy of accounting system.

\_\_\_\_\_

3

2

**C. Phase 3 - Recommendation for Award**

The top three projects that pass all proposal requirements of Phase 1 and receive the highest scores in Phase 2 will be awarded an ETF grant under this RFP. Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

## **Section 5**

# **Attachments**

## Section 5

# Attachments

- A. Proposal Application Checklist
- B. Sample Table of Contents
- C. Protest Procedures
- D. Instructions for SPO-H-205A - Organization-wide Proposal Budget by Source of Funds
- E. Budget Justifications and Instructions for Cash & In-kind Contributions, Indirect Costs, and Other Costs
- F. Please see State Procurement Office Website References table below for Additional Attachments:

**The State Procurement Office (SPO) website is <http://hawaii.gov/spo/>**

For	Form #	Click
1) Proposal Application Identification Form (fillable form)	SPO-H-200	"Health and Human Services, Chapter 103F, HRS Procurements"
2) Proposal Application (fillable form)	SPO-H-200A	
3) Proposal Budget (fillable form)	SPO-H-205A	
4) Budget Justifications (fillable forms) - Personnel: Salaries and Wages Personnel: Payroll Taxes, Assessment and Fringe Benefits Travel: Inter-Island Travel: Out-of-State Contractual Services: Administrative Contractual Services: Subcontracts Program Activities Equipment Purchases	SPO-H-206A  SPO-H-206B SPO-H-206C SPO-H-206D SPO-H-206E SPO-H-206F SPO-H-206H SPO-H-206I	"Forms and Instructions for Private Providers/Applicants" (located under Quicklinks box in upper right corner)
5) Standard Contract -General Conditions	AG Form 103F	"Health and Human Services, Ch. 103F..." "For Private Providers" and "Contract Template – General Conditions"

## Proposal Application Checklist

Applicant: \_\_\_\_\_

RFP No.: DLIR/WDD 2009-03

The applicant's proposal must contain the components shown below as applicable. Please check the "Completed by Applicant" column in the right-hand column to indicate components contained in your submitted proposal application. This checklist must be signed, dated and returned to the purchasing agency as part of the Proposal Application. SPOH forms are on the SPO website. See Section 1, paragraph II Website Reference.\*

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
<b>General:</b>				
Proposal Application Identification Form (SPO-H-200)	Section 1	SPO Website*	<b>X</b>	
Proposal Application Checklist	Section 1	Attachment A	<b>X</b>	
Table of Contents	Section 5	Section 5, RFP	<b>X</b>	
Proposal Application (SPO-H-200A)	Section 3	SPO Website*	<b>X</b>	
Tax Clearance Certificate (Form A-6)	Sections 1 and 3	DoTAX Website (Link on SPO website)*	<b>X</b>	
Certificate of Compliance with Hawaii Labor Laws (Form LIR #27)	Section 3	DLIR website: <a href="http://hawaii.gov/labor/forms/DCD-LIR27.pdf">http://hawaii.gov/labor/forms/DCD-LIR27.pdf</a>	<b>X</b>	
Certificate of Good Standing with the Department of Commerce and Consumer Affairs (DCCA)	Sections 1 and 3	DCCA Website: <a href="http://hawaii.gov/dcca/areas/breg">http://hawaii.gov/dcca/areas/breg</a>	<b>X</b>	
Hawaii Compliance Express (HCE) Certificate of Vendor Compliance	Sections 1 and 3	HCE Website: <a href="https://vendors.ehawaii.gov/hce/sp/lash/welcome.html">https://vendors.ehawaii.gov/hce/sp/lash/welcome.html</a>	<b>If applicable</b>	
Dept. of Education (DOE) Licensure/Accreditation or Exemption	Sections 1 and 3	DOE Website: <a href="http://adulted.k12.hi.us/index.html">http://adulted.k12.hi.us/index.html</a>	<b>X</b>	
Summary Report of Last Financial Audit	Section 3	Section 3, RFP		
<b>Cost Proposal (Budget)</b>				
Proposal Budget SPO-H-205A	Section 3	SPO Website* Special Instructions in Section 5	<b>X</b>	
SPO-H-206A	Section 3	SPO Website*	<b>X</b>	
SPO-H-206B	Section 3	SPO Website*	<b>X</b>	
SPO-H-206C	Section 3	SPO Website*	<b>If applicable</b>	
SPO-H-206D	Section 3	SPO Website*	<b>If applicable</b>	
SPO-H-206E	Section 3	SPO Website*	<b>If applicable</b>	
SPO-H-206F	Section 3	SPO Website*	<b>If applicable</b>	
SPO-H-206H	Section 3	SPO Website*	<b>X</b>	
SPO-H-206I	Section 3	SPO Website*	<b>If applicable</b>	
Budget Justification – Indirect Costs	Section 3	Section 5, RFP	<b>If applicable</b>	
Budget Justification – Other Costs	Section 3	Section 5, RFP	<b>If applicable</b>	
Budget Justification – Cash & In-kind Contributions (project must have at least 50 percent matching contributions)	Section 3	Section 5, RFP	<b>X</b>	
<b>Program Specific Requirements:</b>				
Applicant is an employer group or non-profit organization <u>in partnership</u> with training provider(s) and/or governmental agency.	Section 2		<b>X</b>	
Project supports an innovative green training initiative in one or more of the following categories: renewable energy, energy conservation, or waste elimination.	Sections 2 and 3	Section 3, RFP	<b>X</b>	
Project does not supplant (take the place of) or duplicate existing training initiatives.	Sections 2 and 3	Section 3, RFP	<b>X</b>	
Documented verifiable assessment of training needs and collaboration among private sector businesses are included.	Sections 2 and 3	Section 3, RFP	<b>X</b>	
Realistic and Achievable Work Plan and Timeline including a plan for self-sufficiency after ETF funding ends.	Sections 2 and 3	Section 3, RFP	<b>X</b>	

\_\_\_\_\_  
Authorized Signature\_\_\_\_\_  
Date

# S A M P L E

## Proposal Application

### Table of Contents

<b>I.</b>	<b>Program Overview .....</b>	<b>1</b>
<b>II.</b>	<b>Experience and Capability .....</b>	<b>1</b>
A.	Necessary Skills .....	2
B.	Experience .....	4
C.	Quality Assurance and Evaluation .....	5
D.	Coordination of Services .....	6
E.	Facilities.....	6
<b>III.</b>	<b>Project Organization and Staffing .....</b>	<b>7</b>
A.	Staffing .....	7
1.	Proposed Staffing .....	7
2.	Staff Qualifications .....	9
3.	Subcontractor(s).....	9
B.	Project Organization.....	10
1.	Supervision and Training .....	10
2.	Organizational Structure.....	11
3.	Organization Chart (Program & Organization-wide) (See Attachments for Organization Charts)	
<b>IV.</b>	<b>Service Delivery .....</b>	<b>12</b>
A.	Project Guidelines .....	12
B.	Project Need .....	13
C.	Project Goals, Objectives, and Activities to be carried out .....	18
D.	Project Work Plan .....	19
E.	Timeline (See Attachment for Project Timeline)	
<b>V.</b>	<b>Financial.....</b>	<b>20</b>
	See Attachments for Cost Proposal	
<b>VI.</b>	<b>Litigation.....</b>	<b>20</b>
<b>VII.</b>	<b>Attachments</b>	
A.	Cost Proposal	
	SPO-H-205 Proposal Budget	
	SPO-H-206A Budget Justification - Personnel: Salaries & Wages	
	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification - Contractual Services – Administrative Budget Justification - Cash & In-kind Contributions	

- B.** Other Financial Related Materials
  - Financial Audit for fiscal year ended June 30, 2008
  - Hawaii Compliance Express Certificate of Vendor Compliance
  - Department of Education Private, Trade, or Technical School License
- C.** Organization Chart
  - Program
  - Organization-wide
- D.** Project Timeline
- E.** Performance and Output Measurement Table

STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
EMPLOYMENT AND TRAINING FUND PROGRAM

PROTEST PROCEDURES

**PURPOSE:**

The purpose of these procedures is to allow Respondents to this Request for Proposals (RFP) to protest a determination of an award resulting from this RFP.

**OBJECTIVE:**

The objective of these procedures is to provide Protestors, who applied for an ETF RFP, a means to seek redress.

**PROTEST PROCEDURES:**

**A. Who May File**

Respondents to this RFP may file protests based solely upon the Purchasing Agency's failure to follow requirements in the RFP.

**B. Where to File**

Protestors should file protests with the Department of Labor and Industrial Relations (DLIR) Procurement Officer as identified in the RFP and Protest Form (See Appendix A).

**C. Time for Filing**

The protest must be hand delivered or postmarked by US Mail within 7 calendar days of the postmark of the Statement of Findings and Decision.

**D. Contents of Protests**

All protests must be filed in writing using the ETF Protest Form (see Appendix A).

A Protestor may discontinue the protest at any time during the protest process by submitting a "Withdrawal of Protest and Release" form (see Appendix B).

**E. Suspension of Award**

A timely filing of a Protest Form will suspend any award under this RFP and no further action to make the award may be taken until the issue is resolved or a final determination has been made.

**F. Protest Process**

The steps and time frames for processing a protest are provided below. A Table on page 3 provides a summary of the process.

1. The DLIR Procurement Officer shall acknowledge receipt of the written protest and schedule a meeting with the Protestor that will be held within 7 calendar days of the receipt of the written protest. The Procurement Officer and Protestor shall first attempt to informally resolve the dispute by mutual agreement without submitting the matter for decision.
2. The DLIR Procurement Officer shall provide the Protestor with a written decision within 14 calendar days after the date of the meeting. The decision should be sent to the Protestor by certified mail, return receipt requested.
3. The Protestor may appeal the decision with a written response to the DLIR within 7 calendar days (postmarked or hand delivered) from the receipt of the decision. The appeal should be submitted in writing to the following address:

DLIR Director  
State Department of Labor and Industrial Relations  
830 Punchbowl Street, Room 321  
Honolulu, Hawaii 96813

4. Appeal hearings will be conducted by the DLIR Director or designee.

The DLIR Director or designee will provide to the Protestor a written notice of the hearing that includes:

- The date and time of the hearing;
- The location of the hearing;
- The purpose of the hearing and a statement of the issues; and
- Procedural rights, such as the right to representation, to present testimony, to bring witnesses and records, and to present oral arguments.

The hearing shall be conducted in a manner that is fair and impartial, and allow all parties a full opportunity to present issues, evidence, and pertinent fact.

5. The DLIR Director or designee will conduct an appeal hearing within 30 calendar days from the receipt date of the appeal.
6. The DLIR Director shall issue a written final determination of the Protestors appeal within 21 calendar days of the final appeal hearing date.



**PROTEST PROCESSING TIMELINE TABLE**

<b>Processing Days</b>	<b>Cumulative Days</b>	<b>Event</b>
	1	Protest Received
7	8	Informal Hearing
14	22	Written Decision
7	29	Appeal
30	59	Appeal Hearing
21	80	Final Determination

Department of Labor and Industrial Relations  
Employment and Training Fund Program  
**PROTEST FORM**  
For Purchases of Health and Human Services

PARTIES	
<p style="text-align: center; margin: 0;"><b>Protestor</b></p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>Contact Person: _____</p> <p>Phone: _____</p> <p>Fax: _____</p>	<p style="text-align: center; margin: 0;"><b>State Purchasing Agency</b></p> <p>Department of Labor and Industrial Relations Workforce Development Division Employment and Training Fund (ETF) Program Procurement Officer: <u>Patrick Fukuki</u> Phone: <u>586-8888</u> Fax: <u>586-8899</u></p>

GROUNDS FOR PROTEST
<p>Purchasing Agency failed to follow procedures and/or requirements established by request for proposals, RFP No. DLIR/WDD 2009-03, _____.</p> <p style="text-align: right; font-size: small;">(Enter appropriate section and page no. of RFP)</p>

ATTACHMENTS
<p><input type="checkbox"/> Attachment A: Statement of Facts and Argument (Please include a detailed description of the basis and reason(s) for protest)</p> <p><input type="checkbox"/> Attachment B-1 to B-__: Evidence to Support the Statement of Facts or Argument (Include as needed)</p>

RELIEF REQUESTED
<p>Explain/describe briefly the remedy/relief you are seeking (what you want to have done) if your complaint is found to be valid. Please use reverse side if you require more space.</p> <p>_____</p> <p>_____</p> <p>_____</p>

CERTIFICATION BY PROTESTOR	
<p>I declare, under penalty of perjury that all facts contained in this protest are true and correct to the best of my knowledge, and that the documents attached hereto as Exhibits B1 to B-__ are true and correct copies to the originals.</p>	
<p>_____</p> <p style="text-align: center; font-size: small;">(Authorized official's signature)</p>	<p>_____</p> <p style="text-align: center; font-size: small;">(Type/printed name of authorized official)</p>
<p>_____</p> <p style="text-align: center; font-size: small;">(Date)</p>	<p>_____</p> <p style="text-align: center; font-size: small;">(Authorized official's position)</p>

**WITHDRAWAL/RELEASE OF ETF PROTEST**

<p style="text-align: center;">Protestor</p> <p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>Contact Person: _____</p> <p>Phone: _____ Fax: _____</p>	<p style="text-align: center;">RFP No. DLIR/WDD 2009-03</p> <p>Date Protest was Filed: _____</p>
--	--

**STATEMENT**

I hereby withdraw my protest. I further release and forever discharge the State of Hawaii, Department of Labor and Industrial Relations/recipient, and all their past and present officers, employees, and agents from any and all claims, demands, actions, causes of actions, or suits at law or in equity, known or unknown, concerning the act or actions giving rise to or otherwise related to the protest indicated above.

I have read and fully understand the foregoing, and make this withdrawal and release voluntarily and of my own free will, without coercion or duress from anyone.

Signature of Protestor:	Date:
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**Instructions for Completing  
FORM SPO-H-205A ORGANIZATION - WIDE BUDGET BY  
SOURCE OF FUNDS**

<b>Applicant/Provider:</b>	Enter the Applicant's legal name.
<b>RFP#:</b>	Enter the Request For Proposal (RFP) identifying number of this service activity.
<b>For all columns (a) thru (d)</b>	<p>Report your total organization-wide budget for this fiscal year by <b>source of funds</b>. Your organization's budget should reflect the total budget of the "organization" legally named. Report each source of fund in separate columns, by budget line item.</p> <p>For the first column on the first page of this form, use the column heading, "Organization Total".</p> <p>For the remaining columns you may use column headings such as: Federal, State, Funds Raised, Program Income, etc. If additional columns are needed, use additional copies of this form.</p>
<b>Columns (b), (c) &amp; (d)</b>	Identify sources of funding in space provided for column titles.
<b>TOTAL (A+B+C+D)</b>	Sum the subtotals for Budget Categories A, B, C and D, for columns (a) through (d).
<b>SOURCE OF FUNDING:</b> (a) (b) (c) (d)	Identify all sources of funding to be used by your organization.
<b>TOTAL REVENUE</b>	Enter the sum of all revenue sources cited above.
<b>Budget Prepared by:</b>	<p>Type or print the name of the person who prepared the budget request and their telephone number. If there are any questions or comments, this person will be contacted for further information and clarification.</p> <p>Provide signature of Applicant's authorized representative, and date of approval.</p>

**Special Instructions by the State Purchasing Agency:**

Column (b) – Enter "ETF" above (b) and ETF-funded costs by budget category.

Column (c) – Enter Applicant's name above (c) and its in-kind and cash contributions by budget category.

Column (d) – Enter the name of any other contributor to the project, if applicable, above (d) and its in-kind and cash contributions by budget category.

Please Note: Project must have at least 50% in cash or in-kind support. In addition, administrative costs associated with the project will not be funded beyond 10 percent of the total ETF award.

**BUDGET JUSTIFICATION  
INDIRECT COSTS**

**PERIOD** \_\_\_\_\_

**APPLICANT** \_\_\_\_\_ **PAGE** \_\_ **OF** \_\_

<b>Provide the method used for allocating indirect costs.</b>

**BUDGET JUSTIFICATION**  
**INDIRECT COSTS**  
**Instructions**

**PERIOD** Enter the contract period by month, day, and year.

**APPLICANT** Enter the organization's legal name.

**PAGE \_\_ OF \_\_** Paginate each page and total number of pages (e.g., Page 7 of 10).

**Provide the method used for allocating indirect costs.** Indirect costs are those that remain to be allocated after direct costs have been assigned directly to specific cost objectives. Describe the method used to compute indirect costs and to allocate allowable costs.

A Federal government approved indirect cost rate may be used subject to review and acceptance by the State Department of Labor and Industrial Relations. Submit a copy of the Indirect Cost Negotiation Agreement for consideration.

Expect delay in the approval of the Budget in the absence of a predetermined Indirect cost at the time the Proposal Budget is submitted.



**BUDGET JUSTIFICATION**  
**OTHER COSTS**  
**Instructions**

<b>PERIOD</b>	Enter the contract period by month, day, and year.
<b>APPLICANT</b>	Enter the organization's legal name.
<b>PAGE __ OF __</b>	Paginate each page and total number of pages (e.g., Page 10 of 10). Submit as many pages as necessary.
<b>DESCRIPTION</b>	Identify in Column <b>A</b> the budget line item individually as described in the <b>PROPOSAL BUDGET</b> . Do not group by category titles.
<b>AMOUNT BUDGETED</b>	Enter in Column <b>B</b> the dollar amount of each budget line item.
<b>JUSTIFICATION</b>	Explain in Column <b>C</b> the <b>JUSTIFICATION</b> of need for each item, including the unit of measurement as a basis for calculation (i.e., unit cost x number of pieces, rate per hour x number of hours, rate per mile x number of miles, etc.).
<b>TOTAL</b>	Add each line item cost and enter total.
<b>COMMENTS</b>	Enter additional comments. Use additional sheets, if necessary.





**BUDGET JUSTIFICATION**  
**CASH & IN-KIND CONTRIBUTIONS**  
**Instructions**

<b>PERIOD</b>	Enter the contract period by month, day, and year.
<b>APPLICANT</b>	Enter the organization's legal name.
<b>PAGE __ OF __</b>	Paginate each page and total number of pages (e.g., Page 10 of 10). Submit as many pages as necessary.
<b>DESCRIPTION</b>	Identify in Column <b>A</b> the budget line item individually as described in the <b>PROPOSAL BUDGET</b> . Do not group by category titles.
<b>AMOUNT BUDGETED</b>	Enter in Column <b>B</b> the dollar amount of each budget line item.
<b>JUSTIFICATION</b>	Explain in Column <b>C</b> the <b>JUSTIFICATION</b> of need for each item, including the unit of measurement as a basis for calculation (i.e., unit cost x number of pieces, rate per hour x number of hours, rate per mile x number of miles, etc.).
<b>TOTAL</b>	Add each line item cost and enter total.
<b>COMMENTS</b>	Enter additional comments. Use additional sheets, if necessary.